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May 16, 2022

Via Electronic Filing

Marlene Dortch
Secretary
Federal Communications Commission
45 L Street NE
Washington, D.C. 20554

**Re: Application for Experimental License
File No. 0540-EX-CN-2022
Request for Confidential Treatment**

Dear Ms. Dortch:

Amazon.com Services LLC (“Amazon Prime Air”), by counsel, hereby requests confidential treatment pursuant to the Freedom of Information Act (“FOIA”)¹ and Section 0.459 of the Commission’s rules² for the exhibit that accompanies its application for a conventional experimental license (OET File No. 0540-EX-CN-2022) (the “Exhibit”). As explained below, the Exhibit contains highly sensitive and confidential information, and the public disclosure of this information would have a significant and material adverse effect on Amazon Prime Air.

The Commission’s rules state that materials shown to “contain trade secrets or privileged or confidential commercial, financial, or technical data” shall be afforded confidential treatment and not be made available for public inspection.³ The Exhibit meets this definition, as it contains proprietary and commercially sensitive information that Amazon Prime Air does not in the ordinary course of business reveal to the public or its competitors.

In support of this request, Amazon Prime Air provides the following information, as required by Sections 0.457(d)(2) and 0.459(b) of the Commission’s rules.⁴

1. Identification of Specific Information for Confidential Treatment. Amazon Prime Air seeks confidential treatment for the Exhibit on the basis that it contains confidential commercial information, technical data, and trade secrets concerning Amazon Prime Air

¹ See 5 U.S.C. § 552, *et seq.*

² 47 C.F.R. § 0.459.

³ *Id.* § 0.457(d)(2)

⁴ See *id.* §§ 0.457(d)(2), 0.459(b).

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products under development, as well as information on Amazon Prime Air's testing processes. Amazon Prime Air customarily protects this information from public disclosure.

2. Reason for Request for Confidential Treatment. Amazon Prime Air is submitting the information in support of its request to begin experimental testing. This authorization is necessary for Amazon Prime Air to effectively test and develop its drone systems and other new technologies.
3. Nature of Confidential Information. The Exhibit contains highly confidential commercial information, technical data, and trade secrets, the release of which could cause substantial harm to Amazon Prime Air by revealing to its competitor's non-public information about Amazon Prime Air's testing products and Amazon Prime Air products currently under development.
4. Competitiveness of Market. Customer delivery markets are fiercely competitive. Amazon Prime Air and its competitors carefully guard information about products in development.
5. Harm from Disclosure. The release of the Exhibit would provide Amazon Prime Air's competitors with non-public information concerning Amazon Prime Air products currently under development and disclose confidential information about Amazon Prime Air's testing processes. This information, which is not made public by industry participants, could be used to disadvantage Amazon Prime Air in the marketplace.
6. Measures Taken to Prevent Unauthorized Disclosure. Amazon Prime Air treats the information contained in the Exhibit as confidential and proprietary. Information on Amazon Prime Air's products under development and its testing processes is made available only on a "need-to-know" basis to the extent necessary for the operation of its business. For example, employees and contractors who use Amazon Prime Air's experimental systems are subject to non-disclosure agreements pursuant to their work for the company.
7. Previous Disclosure. The information in the Exhibit is not publicly available.
8. Requested Duration of Nondisclosure. Given the sensitive nature of the information contained therein, the Commission should never make the Exhibit available for public inspection. Even if the products in development ultimately are released, the Exhibit still reveals non-public and confidential information concerning Amazon Prime Air's product testing processes.
9. Additional Information Concerning Request for Confidential Treatment. Amazon Prime Air will exercise strict control over the software and devices subject to its experimental testing to prevent any risk that such material could be identified or evaluated by a member of the public or a competitor.

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For the foregoing reasons, Amazon Prime Air respectfully requests that the Commission keep the Exhibit confidential and withhold it from public inspection. This request should not be construed as a waiver of any other protection from disclosure or confidential treatment accorded by law. Please contact the undersigned with any questions concerning this filing.

Respectfully submitted,

/s/

Gerard J. Waldron

*Counsel to Amazon.com
Services LLC*